

PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

**5**

Application Number

**09/644,221**

Filing Date

**08/22/2000**

First Named Inventor

**Abha Ahuja**

Art Unit

**2142**

Examiner Name

**Mehmet B. Geckil**

Attorney Docket Number

**52224/296033****ENCLOSURES (Check all that apply)**☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/  
Incomplete Application☐Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a  
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD☒

After Allowance Communication to TC

☐Appeal Communication to Board  
of Appeals and Interferences☐Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify  
below):

1) PTOL-85B Fee(s) Transmittal;

2) PTO/SB/47 - Fee Address  
Indication Form.

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

**Kilpatrick Stockton LLP**

Signature

Printed name

**Brenda O. Holmes**

Date

**06/23/2005**

Reg. No.

**40,339****CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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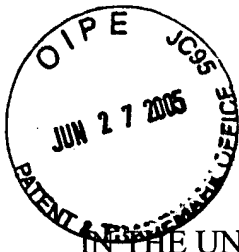
**Steve Kennedy**

Date

**06/23/2005**

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Attorney Docket No. 52224/296033

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Abha Ahuja

Serial No.: 09/644,221

Filed: August 22, 2000

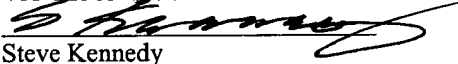
For:

METHOD AND SYSTEM FOR  
OPTIMIZING ROUTING THROUGH  
MULTIPLE INTERNET ROUTE  
PROVIDERS

}  
} Art Unit: 2142  
}

} Examiner: Mehmet B. Geckil  
}  
}

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**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE  
AND NOTICE OF ALLOWABILITY**

Sir:

A Notice of Allowability, including an Examiner's Statement of Reasons for Allowance, was issued on May 10, 2005. The Notice of Allowability, as well as the Examiner's Statement of Reasons for Allowance, identified the allowed claims as 1, 3, 5, 8 through 13, 16 through 21, 24 through 29, 32 through 36, 38, 41 through 46, 49 through 54, 57 through 62, and 65 through 81. However, the Notice of Allowability and the Examiner's


Statement of Reasons for Allowance incorrectly identified the allowed claims since claim 2 was omitted.

Claim 2 appeared in the Amendment and Response filed November 11, 2004 (the "Amendment"). In addition, the Notice of Allowability mailed November 24, 2004, which was responsive to the Amendment, identified the allowed claims as 1 through 3, 5, 8 through 13, 16 through 21, 24 through 29, 32 through 36, 38, 41 through 46, 49 through 54, 57 through 62, and 65 through 81. Thus, the Notice of Allowability and the Examiner's Statement of Reasons for Allowance mailed May 10, 2005, should have included claim 2.

The Examiner's Statement of Reasons for Allowance cited particular claim elements that are present in some of the independent claims. To the extent that the Examiner's Reasons for Allowance suggest or state that certain limitations or combinations not found in the prior art are present in each and every claim whether or not specific language to that effect is found in every claim, the undersigned disagrees. Such limitations or combinations are present only when recited by the claims. It is noted that "the record as a whole" must be considered as a supplement to the Statement of Reasons for Allowance. To the extent that the record is clear and complete, it shall control the interpretation of any and all claims.

If there are any issues that can be addressed via telephone conference, the Examiner is invited to call the undersigned at (404) 685-6799.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brenda O. Holmes", with a horizontal line drawn underneath the signature.

Brenda O. Holmes

Reg. No. 40,339

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